



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3007564
Applicant Name: Tess Weiger for John Haberzette
Address of Proposal: 1829 27th Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to allow three residential units in an environmentally critical area. Surface parking for three vehicles will be provided. Existing structures will be demolished. The project includes review for a future unit lot subdivision.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site Location: Madison Valley
Zoning: Lowrise 1 (L1)
Parcel Size: 4,800 square feet
Existing Use: Three townhouse units

Proposal Description: Construct three residential units in an environmentally critical area. Surface parking for three vehicles will be provided. The existing residence and detached garage will be demolished.

Public Comment: No comment letters were received during the comment period which ended November 26, 2008.

ENVIRONMENTALLY CRITICAL AREA

The site is mapped as an environmentally critical area (ECA) due to a potential landslide area on the site. A geotechnical report was submitted with this application which indicated that the bulk of the site is underlain by generally firm, competent, medium dense to dense silty sand and sandy silt soils. Based on the observed subsurface conditions, the proposed new structures may be supported on conventional spread footing foundations bearing on either the undisturbed or carefully and thoroughly redensified in-situ soils, or on at least two feet of compacted structural fill placed over the redensified in-place soils. Any below grade basement or retaining wall will need to be designed and constructed as a reinforced concrete retaining wall capable of supporting the maximum applied lateral soil loads and any additional surcharge loads such as vehicles and seismic loads, and be provided with a full height drainage system. Recommendations were made regarding the: site preparation and general earthwork, excavation and slopes, the rockery wall, conventional spread footing foundations, the concrete slab-on-grade floor, a post and pad supported wood floor, the foundation stem and basement retaining walls, slope stability, seismic risk, liquefaction, site drainage, and temporary erosion control.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area, thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated [October 24, 2008](#). The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant; and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment.

However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, "*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

Short-term Impacts

The following temporary or construction-related impacts to the environmentally critical area are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794). Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to applicable SEPA policies.

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2)(C).

CONDITIONS - SEPA

None

Signature: _____ (signature on file) Date: April 02, 2009
Malli Anderson, Land Use Planner
Department of Planning and Development

MJA: